IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Appellant:	Haverinen	Examiner:	Ajayi, J.
Serial No.:	10/659,777	Group Art Unit:	2617
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Title:	HANDOVER		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this paper is being electronically transmitted by EFS-WEB to the United States Patent and Trademark Office on February 25, 2010.

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RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

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Sir:

The attached summary (Section V) of the Appeal Brief filed on January 11, 2010, is submitted pursuant to 37 C.F.R. § 41.37(d) for the above-referenced patent application in response to the Notification of Non-Compliant Appeal Brief dated January 29, 2010.

In an effort to have the appeal process proceed and to overcome the purported noncompliance of the Appeal Brief submitted January 11, 2010, Appellant provides the attached Section V. The second sentences of each of the second through sixth paragraphs respectively, explicitly identify the independent claims on appeal (claims 1, 13, 16, 19, and 26) and refer to the original specification by page and line number and to the drawings as required by the Notification of Non-Compliance.

Appellant's efforts to determine whether additional errors prompted the Notification were unsuccessful.

No fee is believed to be required for the filing of this response; however, if it is determined that a fee is necessary, authority is given to charge/credit deposit account 50-3581 (KOLS.047PA) in support of this filing.

Respectfully submitted,

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V. SUMMARY OF CLAIMED SUBJECT MATTER

The claimed invention provides for maintaining an address allocated for a particular terminal as a tunneling IP address when handover is carried out from a first access device to a second access device. The corresponding host (the end point of the tunnel that does not change) need not be updated owing to the change of the other end point in the tunnel. Higher layer signalling solutions are not required to support mobility, and no changes are required to be made in the tunnelling protocols, the implementation of the corresponding hosts in the tunnels, the terminals, or the standards between the terminal and the access devices. Since the end point of the tunnel can be locally changed, the delay caused by the signalling messages to be sent to the corresponding host, or received therefrom, can be avoided.

One embodiment of the present invention is directed to a method. *See, e.g.*, claim 1; Figs. 3 and 4; and the respective corresponding discussions at page 10, line 11, through page 11, line 5. The method includes allocating a tunneling IP address (*e.g.*, 303) for a tunnel to be formed for data transmission of a terminal connected to a first access device, to a corresponding host, to which tunneling IP address the tunnel is bound. The method further includes transferring at least the tunneling IP address from the first access device to a second access device (*e.g.*, 402) in response to detecting a need to change the connection of the terminal to be carried out by the second access device.

Another embodiment of the present invention is directed to an access device for a telecommunication network, wherein the access device is configured to provide a terminal with a connection. *See, e.g.*, claim 13; Figs. 2-4; and the respective corresponding discussions at page 5, line 2, through page 12, line 32. The access device (*e.g.*, AP, page 5, lines 32-36) is configured to allocate a tunnelling IP address for a tunnel to be formed for data transmission of the terminal (*e.g.*, 303), to which tunnelling IP address the tunnel is bound, and to form the tunnel between a corresponding host and an access device for data transmission of the terminal (*e.g.*, 304). The access device is further configured to send at least said tunnelling IP address to a second access device in response to detecting a need to

change the connection of the terminal to be implemented by the second access device (*e.g.*, 402).

Another embodiment of the present invention is directed to an access device for a telecommunication network. *See, e.g.*, claim 16; Figs. 2 and 4; and the respective corresponding discussions at page 5, line 2 through page 9, line 23 and page 10, line 35 through page 12, line 32. The access device (*e.g.*, second access device) includes means for providing a terminal with a connection (*e.g.*, processor and memory, page 15, lines 25-30, tunneling protocols, routers, radio technologies, antenna) and means for forming a tunnel (*e.g.*, processor and memory, page 15, lines 25-30, tunneling protocols, routers, radio technologies, antenna) between a corresponding host and the access device for data transmission of the terminal. The access device is configured to receive at least a tunnelling IP address allocated for a tunnel for the data transmission of the terminal in response to detecting a need to change the connection of the terminal to be implemented by the access device (*e.g.*, 402). The access device is further configured to form a binding between the tunnelling IP address and the network interface (*e.g.*, 403) and to update the information concerning the new binding between the network interface and the tunnelling IP address to at least one network node included in the system (*e.g.*, 404).

Another embodiment of the present invention is directed to a communications apparatus. *See, e.g.*, claim 19; Figs. 2 and 4; and the respective corresponding discussions at page 5, line 2 through page 9, line 23 and page 10, line 35 through page 12, line 32. The apparatus (*e.g.*, second access device) comprises a processor and a memory (*e.g.*, page 15, lines 25-30) and is configured to form a tunnel between a corresponding host and the apparatus for data transmission of a terminal (*e.g.*, AP, page 5, lines 32-36). The apparatus is also configured to receive at least a tunnelling IP address allocated for a tunnel for the data transmission of the terminal in response to detecting a need to change the connection of the terminal to be implemented by the apparatus (*e.g.*, 402). Further, the apparatus is configured to form a binding between the tunnelling IP address and the network interface (*e.g.*, 403) and to update the information concerning the new binding between the network

interface and the tunnelling IP address to at least one network node included in the system (*e.g.*, 404).

Another embodiment of the present invention is directed to a method. *See, e.g.*, claim 26; Fig. 4; and the corresponding discussion at page 10, line 35 through page 12, line 32. The method includes receiving at least a tunnelling IP address allocated for a tunnel for data transmission of a terminal in response to detecting a need to change the connection of the terminal to be implemented by a second access device (*e.g.*, 402) and forming a binding between the tunnelling IP address and a network interface of the second access device (*e.g.*, 403). The method further includes updating the information concerning the new binding between the network interface and the tunnelling IP address to at least one network node included in the system of the terminal (*e.g.*, 404).

As required by 37 C.F.R. § 41.37(c)(1)(v), a concise explanation of the subject matter defined in each of the independent claims involved in the appeal is provided herein. Appellant notes that representative subject matter is identified for each of these claims; however, the abundance of supporting subject matter in the application prohibits identifying all textual and diagrammatic references to each claimed recitation. Appellant thus submits that other application subject matter, which supports the claims but is not specifically identified above, may be found elsewhere in the application. Appellant further notes that this summary does not provide an exhaustive or exclusive view of the present subject matter, and Appellant refers to the appended claims and their legal equivalents for a complete statement of the invention.